



IAP7 Rec'd PCT/PTO 23 JAN 2006 PCT

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

39

Application Number

10/551,176

Filing Date

September 30, 2005

First Named Inventor

ONICHTCHOUK, Daria

Art Unit

TBD

Examiner Name

TBD

Attorney Docket Number

8054-005-US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	IDS Form PTO/SB/08A (1 page);
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	IDS Form PTO/SB/08B (1 page);
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	and Self addressed pre-paid stamped postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Catalyst Law Group, APC		
Signature			
Printed name	David Kohn, J.D.		
Date	January 20, 2006	Reg. No.	53,150

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Christina Dueñas	Date	January 20, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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January 11, 2006

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commission for Patents, Mail Stop: Information Disclosure Statement, P. O. Box 1450, Alexandria, VA 22313-1450.

Christina Dueñas

Name of Person Mailing Paper

Signature of Person Mailing Paper

January 20, 2006
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: TBA
)	
Develogen Aktiengesellschaft)	Group Art Unit: TBA
)	
Serial No.: 10/551,176)	Docket No.: 8054-005-US
)	
Filed: September 30, 2005)	Date Mailed: January 20, 2006
)	
For: USE OF DG931 PROTEIN FOR)	
TREATING DIABETES, OBESITY,)	
AND METABOLIC SYNDROME)	

INFORMATION DISCLOSURE STATEMENT

Mail Stop: Information Disclosure Statement
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This document is an Information Disclosure Statement to the above-cited patent application and filed pursuant to 37 C.F.R. § 1.97(b)(3). Therefore, no fee is believed to be due.

Attached are forms PTO/SB/08A and PTO/SB/08B listing documents believed relevant to the subject application. The submission of this document is not intended, nor should it be construed, to constitute an admission that any patent, patent application, article, or other information referred to herein is "prior art" unless specifically designated as such. In fact, applicants submit that these documents do not affect the patentability of the subject invention. In accordance with 37 C.F.R. § 1.97(g), the filing of this information shall not be construed to represent that a search has been made or that no other material information may exist. Neither should its submission be construed to indicate that a thorough search should not be conducted by the Examiner.

It is respectfully requested that the listing of documents in the attached forms be: (1) fully considered by the Patent and Trademark Office during the prosecution of this application; and (2) represented on any patent which may issue on the application. Applicant respectfully requests that copies of the forms PTO/SB/08A/B, as considered and initialed by the Examiner, be returned with the next communication pursuant to the §609 of the Manual of Patent Examining Procedures (MPEP).

The order of the documents listed in the attached forms is to be accorded no particular import, as the order thereof is completely fortuitous. Additionally, the documents are not necessarily analogous art. A copy of each article document listed in the attached forms is enclosed.


It is believed that this disclosure complies with the requirements as set forth under 37 C.F.R. § 1.56, § 1.97, and § 1.98 and §707.05(b) of the MPEP. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be telephoned at (858) 450-0099 so that any deficiencies can be remedied.

It is further believed that this Information Disclosure Statement is being submitted before the mailing of an Office Action on the merits. Accordingly, no fee is believed to be due under 37 C.F.R. § 197(b)(3). If an Office Action on the merits has in fact been mailed,

authorization is hereby given to charge the required fee of \$180.00 under 37 C.F.R. §
1.97(c)(2) and 1.17(p) to Deposit Account No. 502235.

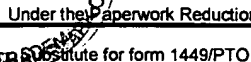
Respectfully submitted,

Date: 1/20/06



David M. Kohn, J.D.
Reg.No. 53,150

CATALYST LAW GROUP, APC
9710 Scranton Road, Suite 170
San Diego, California 92121
(858) 450-0099
(858) 450-9834 (Fax)



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(Use as many sheets as necessary)

Complete if Known

Application Number	10/551,176
Filing Date	September 30, 2005
First Named Inventor	ONICHTCHOUK, Daria
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	8054-005-US

Sheet	1	of	2
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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

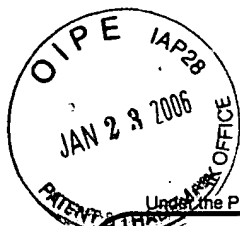
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 03/016475 A2	02-27-2003	Bayer Ag		
		WO 01/62928 A2	08-30-2001	Curagen Corp		
		WO 02/08288 A3	01-31-2002	Genentech, Inc		
		WO 02/22802 A1	03-21-2002	SmithKline Beecham		
		WO 84/03564	12-09-1985	GRP Genie Genetique		
		WO 01/21651 A2	03-29-2001	Lexicon Genetics, Inc		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (07-05)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/551,176
		Filing Date	September 30, 2005
		First Named Inventor	ONICHTCHOUK, Daria
		Art Unit	TBD
		Examiner Name	TBD
Sheet 2	of 2	Attorney Docket Number	8054-005-US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BRUNING et al., Mol. Cell. 2:449-569 (1998).	
		KATAYAMA, S. et al., Science, 309(5740):1564-1566(2005).	
		WATSON, J.E. et al., Oncogene, 23(19)3487-3494 (2004).	
		SORA, I. et al., PNAS, 96:7752-7755 (1999).	
		Genbank Accession No. NP_084485, Mus Musculus RIKEN cDNA 1810049K24 gene (1810049K24Rik).	
		Genbank Accession No. NM_030209, Mus Musculus RIKEN cDNA 1810049K24 gene (1810049K24Rik).	
		Genbank Accession No. NM_031476, Homo sapiens hypothetical protein DKFZP434B044(DKFZp434B044)	
		Genbank Accession No. NP_113664, Homo sapiens hypothetical protein DKFZP434B044(DKFZp434B044).	
		Accession No. Q9H0B8, Hypothetical protein DKFZp43B044 (March 1, 2001), retrieved from Database Uniprot EMBL/EBI at www.EBI.AC.UK	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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